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EDITORIALS

HANS GROSS

It was announced by way of London, on December 11th, that Professor Hans Gross is dead. For many years Professor Gross has been one of the most eminent European leaders in the movement for a scientific attitude toward the problems of Criminology. He was born on December 26th, 1847, at Gratz, Austria, where he died. He pursued his University studies at Vienna and Gratz, and in 1869 he was qualified for the law. He served as *Untersuchungsrichter* (examining magistrate) and in other capacities, and received his first academic appointment as Professor of Criminal Law at the University of Cernowitz. Later, he was attached to the German University at Prague, and finally to the University at Gratz, where he died.

Professor Gross was the author of a wide range of works bearing upon the administration of criminal law and upon the theoretical foundations of criminology. In 1893, he published his *Handbuch fur Untersuchungsrichter, als System fur Kriminalistik* (Handbook for Examining Magistrates as a System for Criminalistics). By 1908, this work had reached its fifth edition and had been translated into eight languages. Since 1898 Professor Gross had been Editor of the *Archiv fur Kriminalanthropologie und Kriminalistik*. The *Archiv* is regularly exchanged for this JOURNAL and one or more of its articles may be found reviewed or abstracted in each of our numbers. In 1897 Professor Gross published his *Kriminal Psychologie* which was translated in 1910 by Horace M. Kallen Ph. D., of the University of Wisconsin and in the following year was published under the auspices of the American Institute of Criminal Law and Criminology as the second number in the Modern Criminal Science Series. One of the three best known books on the detection of crime is Professor Gross' *System der Kriminalistik*, an English translation of which has been published in Madras. This contains a bibliography of more than 1,200 titles of books and pamphlets.

His Museum of Criminology at the University of Gratz, attracts a great deal of attention from travelers. It is a remarkable collection of weapons and other tools that have been used by a host of criminals in pursuit of their occupation, but more important than this, it

concretely illustrates, from many angles, the *modus operandi* of scientific detection.

We hope that in the near future we may be able to publish an extended critical review of Professor Gross' life and work.

ROBERT H. GAULT.

THE REAL JAIL PROBLEM.

Under the auspices of the Juvenile Protective Association of Chicago there has been recently issued a pamphlet under the above title, the text of which is by Miss Edith Abbott. The real jail problem is not how a new jail should be built to care best for the more than 8,000 men and boys who in Cook County, Ill., are each year locked up in its steel cages for longer or shorter periods of time, but how many of the 8,000 could and should be spared the suffering and the humiliation of serving a term of imprisonment in the jail.

At present three classes of persons are confined in the Cook County jail:

1. Those who are merely waiting to be tried and who, until they have been tried and found guilty, are presumed under the law to be innocent persons. The report of the Chicago Crime Committee showed that about 90 per cent of all the "prisoners" sent to the jail during a year are sent there, not under sentence, but to be held awaiting trial.

2. Those who have been tried and found guilty and sentenced to a term of imprisonment in the County Jail. The Crime Committee's report showed that only about five per cent of the "prisoners" are persons who have been tried, found guilty and given a jail sentence.

3. The remaining five per cent of the jail population is a rather miscellaneous group including persons held after conviction pending transfer to some other penal institution, those held as witnesses, or on order of the United States Courts, on writs of *ne exeat*, etc.

The greater part of the 8,600 persons who were confined in the Cook County Jail during the last year were there, not because they were guilty of crime, but because they could not provide bail during the period the law was taking its course. The jail problem, therefore, is largely a problem of poverty. There were last year only 219 persons arrested on the charge of murder. Since the law of Illinois provides that any person awaiting trial may be released on bail unless he be charged with capital offense where the proof is evident or presumption great, it is evident, therefore, that more than 7,000 of those who were in the jail last year could have been released if they had only been financially able. What method, therefore, can be devised to meet the situation?